

Notice of Allowability

Application No.

09/731,175

Examiner

Ram R. Shukla

Applicant(s)

GLORIOSO ET AL.

Art Unit

1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/15/04.
2. ☒ The allowed claim(s) is/are 1,12,17,20,25,26 and 49-54.
3. ☒ The drawings filed on 05 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment, which places this application in condition for allowance. During a telephone conversation conducted on 10/14/2004, Joseph H. Kim requested an extension of time for one MONTH(S) and authorized the Director to charge Deposit Account No. 502486 the required fee of \$55.0 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph H. Kim on 10/12/2004.

3. The application has been amended as follows:

IN THE CLAIMS:

Claim 22 has been cancelled.

IN THE SPECIFICATION:

On page 17, "A-C" has been inserted after "Figure 12" in line 4.

On page 17, "(a)" in line 9 has been replaced with "(A)".

On page 17, "(b)" in line 10 has been replaced with "(B)".

On page 17, "(c)" in line 11 has been replaced with "(C)".

On page 17, "(a)" in line 23 has been replaced with "(A)".

On page 17, "(b)" in line 24 has been replaced with "(B)".

On page 17, "(c)" in line 25 has been replaced with "(C)".

On page 17, "(d)" in line 26 has been replaced with "(D)".

On page 18, "(a-b)" in line 21 has been replaced with "(A-B)".

On page 18, "Figure 17a" in line 24 has been replaced with "Figure 17A".

On page 18, "Figure 17b" in line 24 has been replaced with "Figure 17B".

On page 19, "A-D" has been inserted after "Figure 19" in line 4.

On page 19, "A-D" has been inserted after "Figure 21" in line 9.

On page 19, "A-F" has been inserted after "Figure 22" in line 11.

On page 19, "A, d, e and f" in line 16 has been replaced with "A, D, E and F".

On page 19, "b, and c" in line 17 has been replaced with "B, and C".

On page 19, "A-H" has been inserted after "Figure 23" in line 19.

On page 19, "(a)-(f)" in line 20 has been replaced with "(A)-(F)".

On page 19, "(g)-(h)" in line 21 has been replaced with "(G)-(H)".

On page 19, "Figure 24a" in line 23 has been replaced with "Figure 24 (upper panel)".

On page 19, "Figure 24b" in line 24 has been replaced with "Figure 24 (lower panel)".

On page 19, "Figure 25a" in line 26 has been replaced with "Figure 25 (upper panel)".

On page 19, "Figure 25b" in line 27 has been replaced with "Figure 25 (lower panel)".


Art Unit: 1632

4. Claims 1, 12, 17, 20, 25, 26, 49-54 have been allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram R. Shukla whose telephone number is (571) 272-0735. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (571) 272-0804. The fax phone number for TC 1600 is (703) 872-9306. Any inquiry of a general nature, formal matters or relating to the status of this application or proceeding should be directed to the Dianiece Jacobs whose telephone number is (571) 272-0532.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ram R. Shukla, Ph.D.
Primary Examiner
Art Unit 1632

A handwritten signature in black ink, appearing to read 'm Shukla', with a horizontal line underneath.

RAM R. SHUKLA, PH.D.
PRIMARY EXAMINER